

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

April Smoker,

Plaintiff,

-against-

Commissioner of Social Security,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/26/2020

19 Civ. 1539 (AT) (JLC)

ORDER

Having received no objections to the Report and Recommendation (the “R&R”), ECF No. 23, of the Honorable James L. Cott, the Court reviewed the R&R for clear error, and found none. *Santiago v. Colvin*, 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014).

The Court, therefore, ADOPTS the R&R in its entirety. Accordingly, Plaintiff’s motion for judgment on the pleadings is GRANTED, the Commissioner’s cross-motion is DENIED, and the case is REMANDED to the Administrative Law Judge (“ALJ”) pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the ALJ should:

1. Specify, upon further development of the record, what weight he assigns to treating psychiatrist Galina Bass, M.D.’s opinions and provide a comprehensive analysis for the reasons he has assigned this particular weight, if deemed less-than-controlling;
2. Revisit the vocational expert’s testimony, as necessary, in light of all relevant medical and other evidence made part of the record on remand;
3. Further develop the record by soliciting treatment records from David Goldberg, L.M.S.W., in order to fully assess Plaintiff’s mental functional limitations;
4. Reevaluate Plaintiff’s credibility in light of all the relevant medical and other evidence; and
5. Clarify Plaintiff’s alleged onset date.

The Clerk of Court is directed to terminate the motions at ECF Nos. 14 and 20, and close the case.

SO ORDERED.

Dated: May 26, 2020
New York, New York


ANALISA TORRES
United States District Judge